

REMARKS

In accordance with the foregoing, claims 6, 7, 9, 13, and 25 have been cancelled without prejudice or disclaimer and claims 1, 10, 11, and 24 have been amended. No new matter is presented in this Amendment. Therefore, claims 1, 8, 10-12, 14, 16, 18, 19, 21, 22, and 24 are pending and reconsideration is respectively requested.

THE TELEPHONE CONFERENCES OF THE WEEK OF OCTOBER 24, 2006:

Applicants wish to thank the Examiner for the courtesy of the telephone conferences held the week of October 24, 2006 during which the rejections of the claims and the language of the claims was discussed. By way of review, it was informally agreed that the applicants would amend certain aspects of the claims to overcome the relevant outstanding rejections of the claims. In addition, whether the term "predetermined pattern" is indefinite was discussed. The Examiner alleged that the term is actually a negative limitation that does not provide any guidance as to the nature of the "predetermined data." Applicants responsively asserted that the term is definite because, due to the contextual claim language surrounding the term, it is apparent that the "predetermined pattern" refers to data that is recorded on an optical disc and because the phrase, "unrelated to the user data," specifies the nature of that data. While no formal agreement was reached as to these arguments, they are presented here in written form for the purpose of receiving reconsideration.

REJECTIONS UNDER 35 U.S.C. §112:

Claims 1, 6, 7-14, 16, 18-19, 21-22, 24 and 25 were rejected under 35 U.S.C. §112, first paragraph. Specifically, claims 1, 11, 16, 24, and 25 were rejected due to the suggestion that the claimed "predetermined pattern unrelated to the user data" does not clarify what is being claimed. Applicants disagree with this suggestion.

In support of this position, it is initially noted that since the claims specify that the predetermined pattern is recorded on this disc, any reasonable interpretation of the claim language reveals that the predetermined pattern must be data. Secondly, since the claims further specify that the predetermined pattern is recorded after the user data is recorded and that the predetermined pattern is unrelated to the user data, applicants note that the predetermined pattern is therefore defined as being data that is unrelated to data that has been recorded and, as such, may be relatively easily differentiated from the user data when determining the nature of

the predetermined pattern. Thus, far from being undefined or a "negative limitation," the specific meaning of the claimed predetermined pattern has been defined and is believed to be clear on its face.

Claim 11 was also rejected because of the recitation of "a pattern" being recorded in "a pattern." However, since claim 11 has been amended to address the rejection, it is believed that the rejection is overcome.

Similarly, claim 24 was rejected due to the recitation of the leading portion of the user data. Here, however, the term, "leading portion has been removed from the claim." Thus, the rejection is believed to be overcome.

Claims 1, 6-10, and 13, are rejected under 35 U.S.C. §112, second paragraph. However, claim 1 has been amended to address the concerns of the Examiner in this instance and claims 6, 7, and 13 have been cancelled. Thus, the rejections are believed to be overcome and/or rendered moot.

CLAIM OBJECTIONS:

Claims 6, 7 and 13 are objected to under 37 C.F.R. 1.75(c). However, since these claims have been cancelled, these objections are moot.

REJECTIONS UNDER 35 U.S.C. §102:

Claims 1, 6-10 and 25 are rejected under 35 U.S.C. §102(b) as being anticipated by Aoki (Japanese Patent Publication 200-195060). These rejections are traversed.

Regarding the rejection of claim 1, it is noted that claim 1 recites an optical disc for use with a recording/reproducing apparatus in which track grooves are formatted into a waved pattern in a radial direction of the disc, the disc being divided into a plurality of zones. According to the claim, each zone comprises a plurality of sectors each of which includes a data area having a designated recording capacity in which user data is recorded, and an identification area in which zone address information for each zone is recorded based on a predetermined modulation rule, and at least one coupling area to separate the zone from an adjacent zone to provide additional recording capacity. During the recording of the user data in the data areas of each zone, a zone start pattern and a zone end pattern is recorded at the beginning and the end

of the user data, respectively, to define a position of the user data within the zone. Further, once the user data is recorded in a particular zone, a predetermined pattern unrelated to the user data is recorded in the coupling area of the zone to correct for a deficiency or an excess of the designated recording capacity of the zone.

In contrast, Aoki merely discloses a data structure of an optical disc that may be broken down into sectors which only include a respective ID area and a respective data area as shown in FIG. 5 of the reference. There is no disclosure that the "sectors" are to be linked together to form zones. Nor is there a disclosure that any such zones would then be preceded by a zone start pattern and ended with a zone end pattern. Furthermore, there is certainly no additional disclosure of coupling areas to separate zones from each other in which a predetermined pattern(s) is recorded.

Even if the above noted deficiencies of Aoki were ignored, applicants note that the Examiner's suggestion that the coupling areas may be interpreted as merely borders between the ID area and the data area of Aoki is incorrect. The claims specify that the coupling areas are located at beginnings or ends of each of the zones so as to separate the zones from each other.

In other words, the claims do not recite that the coupling areas are located between the data recording areas and the identification areas of the individual sectors of the zones as would be necessary for the Examiner's position to hold water. Furthermore, the borders between the ID area and the data area of Aoki are not disclosed as having any dimensional qualities (i.e., width in terms of a number of tracks on a disc surface). Meanwhile, the claimed coupling areas are recited as having a predetermined pattern recorded thereon, which indicates that at least some part of the disc recording surface having some substantial dimension(s) is used up by the coupling areas.

Thus, it is believed that claim 1 is patentably distinguished from the reference to Aoki. Therefore, the rejection of claim 1 is believed to be overcome.

Regarding the rejection of claims 6-10, and 25, it is noted that only claim 8 and 10 remain pending and that these claims depend from claim 1 and are, therefore, allowable for at least the reasons set forth above with respect to claim 1.

REJECTIONS UNDER 35 U.S.C. §103:

Claims 11, 12-14, 16, 18, 19, 21-22 and 24 are rejected under 35 U.S.C. §103(a) as being unpatentable over Aoki (Japanese Patent Publication 2000-195060) in view of Hui (U.S.

Patent 4,229,808). Regarding the rejections of claims 11 and 24, however, since claims 11 and 24 recite similar subject matter as claim 1, it is noted that these claims are allowable for similar reasons as set forth above with respect to claim 1. Further, regarding the rejections of claims 12, 14, 16, 18, 19, 21-22, it is noted that these claims depend from claim 11 are, therefore, allowable for at least the reasons set forth above.

CONCLUSION:


There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited. If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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